

# SENATE RECORD VOTE ANALYSIS

106th Congress  
2nd Session

Vote No. 169

June 30, 2000, 10:11 a.m.  
Page S-6187 Temp. Record

## LABOR-HHS APPROPRIATIONS/No Funds for School Clinic "Morning-After" Pills

**SUBJECT:** Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Bill for fiscal year 2001 . . . H.R. 4577. Specter motion to table the Helms amendment No. 3697.

### ACTION: MOTION TO TABLE FAILED, 41-54

**SYNOPSIS:** H.R. 4577, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Bill for fiscal year 2001, as amended by the text of S. 2553, the Senate-reported version of the bill, will provide \$352.186 billion in new budget authority, which is \$22.422 billion more than provided in fiscal year (FY) 2000 and is \$3.998 billion less than requested. Budget authority for fiscal year 2001 discretionary spending will total \$97.820 billion. (By unanimous consent, the Senate adopted the text of S. 2553 as original text for purposes of further amendment as soon as it began consideration of the bill.)

**The Helms amendment** would add that no Federal funds would be used "for the distribution or provision of postcoital emergency contraception, or the provision of a prescription for postcoital emergency contraception, to an unemancipated minor, on the premises or in the facilities of any elementary school or secondary school." (Such contraception, commonly referred to as a "morning-after pill," contains large doses of the drugs used in conventional birth control pills. It can work either as a contraceptive before conception or as an abortifacient after conception. The National Assembly on School-Based Health Care, which works closely with the Department of Health and Human Services (HHS), recently conducted a survey of nearly 1,200 school-based clinics and found that 23 percent offered contraceptives, of which 15 percent included the morning-after pill among their offerings. Federal law "encourages" family participation in federally funded programs that provide contraceptives to minors, but no notification requirements apply. In a series of cases in the 1980s, Federal courts have generally found that the application of State parental notification statutes to federally funded programs that provide contraceptives to minors results in the frustration of the Federal purpose of the statutes, and the courts have consequently invalidated those State notification laws. Under current law, the Federal

(See other side)

YEAS (41)			NAYS (54)			NOT VOTING (5)	
Republicans (6 or 11%)	Democrats (35 or 85%)		Republicans (48 or 89%)	Democrats (6 or 15%)		Republicans (1)	Democrats (4)
Campbell	Akaka	Kerrey	Abraham	Hutchinson	Breaux	Hatch <sup>2AN</sup>	Boxer <sup>2</sup>
Chafee	Baucus	Kerry	Allard	Hutchison	Conrad		Inouye <sup>2</sup>
Collins	Bayh	Landrieu	Ashcroft	Inhofe	Dorgan		Leahy <sup>2</sup>
Jeffords	Biden	Lautenberg	Bennett	Kyl	Johnson		Moynihan <sup>2</sup>
Snowe	Bingaman	Levin	Bond	Lott	Kohl		
Specter	Bryan	Lieberman	Brownback	Lugar	Reid		
	Byrd	Lincoln	Bunning	Mack			
	Cleland	Mikulski	Burns	McCain			
	Daschle	Murray	Cochran	McConnell			
	Dodd	Reed	Coverdell	Murkowski			
	Durbin	Robb	Craig	Nickles			
	Edwards	Rockefeller	Crapo	Roberts			
	Feingold	Sarbanes	DeWine	Roth			
	Feinstein	Schumer	Domenici	Santorum			
	Graham	Torricelli	Enzi	Sessions			
	Harkin	Wellstone	Fitzgerald	Shelby			
	Hollings	Wyden	Frist	Smith, Bob			
	Kennedy		Gorton	Smith, Gordon			
			Gramm	Stevens			
			Grams	Thomas			
			Grassley	Thompson			
			Gregg	Thurmond			
			Hagel	Voinovich			
			Helms	Warner			
						<b>EXPLANATION OF ABSENCE:</b>	
						1—Official Business	
						2—Necessarily Absent	
						3—Illness	
						4—Other	
						<b>SYMBOLS:</b>	
						AY—Announced Yea	
						AN—Announced Nay	
						PY—Paired Yea	
						PN—Paired Nay	

Government may use taxpayer funds to provide abortifacient morning-after pills at grade-school and high-school clinics, and State parental notification laws are overridden.

Debate was limited by unanimous consent. After debate, Senator Specter moved to table the amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

NOTE: After the failure of the motion to table, the amendment was adopted by voice vote.

**Those favoring** the motion to table contended:

Under current Federal law, Federal aid may be given to school-based health clinics that offer contraceptive services. It is up to those schools if they want to offer such services. This amendment would place a restriction on that Federal aid--it would not allow funding to go to any program that distributed morning-after pills. Morning-after pills are not the same as the abortion drug RU-486; they are contraceptives. Many schools offer them so that if a young woman has unprotected sex, or even is the victim of rape or incest, she can take the pills in the morning to prevent conception from occurring. We see nothing wrong with local schools making this choice for the young women under their care. We strongly urge our colleagues to table this amendment.

**Those opposing** the motion to table contended:

Contraceptives prevent pregnancies. Abortifacients end pregnancies. The "morning-after" pill is widely viewed as being both a contraceptive and an abortifacient. If a girl is not yet pregnant, and if the pills act quickly enough, they can prevent or delay ovulation. If, however, she has already conceived or if the pills do not act quickly enough to prevent conception, then the powerful drugs cause a chemical abortion instead. Many pharmacists across the country refuse to prescribe morning-after pills because they will act as an abortifacient. For some girls, though, no prescription is necessary, because their grade schools or high schools have clinics that distribute the drug, no questions asked. Many of those clinics receive Federal funds. If they do, Federal law applies. Federal law does not permit any restrictions on giving contraceptives to minors--not even State parental notification laws may be enforced. Side effects from taking these pills can be severe, just as side effects can be from taking any other strong drugs. If a young girl suffers severe side effects and needs treatment, her parents may have no idea that she even took the pills, and the school, by Federal law, will not be allowed to tell them. The current Federal policy is extreme. It allows taxpayer funds to be used to pay for pills that can cause abortions and that are handed out at public schools, and it even overrides any State or local parental notice laws that may apply. The Helms amendment would end this extreme policy; it would take the Federal Government out of the business of paying for morning-after pills in grade schools and high schools. We urge our colleagues to support this amendment.